

October 3, 2019

Honorable Lorna G. Schofield
U.S. District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*
Case No. 1:13-cv-07789-LGS (S.D.N.Y.)

Dear Judge Schofield:

Pursuant to Paragraph V of the Second Amended Civil Case Management Plan and Scheduling Order (ECF No. 1014), Plaintiffs and Credit Suisse Group AG, Credit Suisse AG, and Credit Suisse Securities (USA) LLC (the "Credit Suisse Defendants") (together with Plaintiffs, the "Parties") submit this letter concerning the schedule for discovery and dispositive motions in connection with the limited-scope first phase trial contemplated by the Court's ruling on class certification. The letter and attendant schedule is submitted on consent of Plaintiffs and Credit Suisse Defendants.

Subject to the Court's approval, the Parties have agreed to the below proposed schedule for discovery and the filing of dispositive motions directed to Phase 1 issues.

Fact and Expert Discovery

- A. Depositions shall continue until commencement of trial in light of the existing stay requested by the U.S. Department of Justice.
- B. The Parties shall serve their opening merits expert reports on the issues for which they bear the burden(s) of proof by **January 23, 2020**, and shall serve opposition expert reports seven (7) weeks from the filing of the opening expert reports, by **March 12, 2020**. Reply expert reports will be served by **April 16, 2020**.
- C. Absent agreement of the Parties, the Parties will have four (4) weeks from the opening expert reports to take depositions of the opposing Party's experts. Depositions of opening experts shall be concluded by **February 20, 2020**.
- D. Absent agreement of the Parties, the Parties will have three (3) weeks from the filing of the opposition expert reports to take depositions of the opposing Party's opposition experts. Depositions of opposition experts shall be concluded by **April 2, 2020**.

Dispositive Motions

- A. The Parties shall file their summary judgment opening briefs by **May 14, 2020**.
- B. The Parties will file their summary judgment opposition briefs by **June 18, 2020**.
- C. The Parties will file their reply briefs on **July 16, 2020**.
- D. The movant shall provide a courtesy copy of the motion papers, including exhibits, as provided for in the Court's Individual Rules and Procedures for Civil Cases.

Pre-Trial Conference

To the extent necessary after the Court's ruling on summary judgment, and in accordance with the Second Amended Civil Case Management Plan and Scheduling Order (ECF No. 1014), within thirty (30) days of the Court's ruling on dispositive motions, the Parties shall meet and confer and submit a joint proposed schedule to the Court for consideration in setting a date for the final pre-trial conference, a trial date, and other necessary pre-trial procedures.

Accordingly, the Parties respectfully request that the Court enter the above schedule.

CAHILL GORDON & REINDEL LLP

s/  _____

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Proposed Schedule Summary Chart

Deadline	Action
Ongoing	<ul style="list-style-type: none"> • Ongoing until trial
1/23/2020	<ul style="list-style-type: none"> • The Parties shall serve their opening merits expert reports
2/20/2020	<ul style="list-style-type: none"> • Absent agreement, depositions of merits experts shall be completed
3/12/2020	<ul style="list-style-type: none"> • The parties shall serve their opposition merits expert reports
4/2/2020	<ul style="list-style-type: none"> • Absent agreement, depositions of opposition merits experts shall be completed
4/16/2020	<ul style="list-style-type: none"> • The Parties shall serve their reply merits expert reports
5/14/2020	<ul style="list-style-type: none"> • The Parties shall file summary judgment motion(s)
6/18/2020	<ul style="list-style-type: none"> • The Parties shall file opposition(s) to summary judgment motion(s)
7/16/2020	<ul style="list-style-type: none"> • The Parties shall file reply brief(s) in support of summary judgment motion(s). The movant will provide a courtesy copy of the motion papers as provided in the Court's Individual Rules and Procedures for Civil Cases.
Pre-Trial Conference	To the extent necessary after the Court's ruling on summary judgment, and within thirty (30) days of the Court's ruling on dispositive motions, the Parties shall meet and confer and submit a joint proposed schedule to the Court for consideration in setting a date for the final pre-trial conference, a trial date, and other necessary pre-trial procedures.